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## Project SARA

International and Domestic Activities  
Final Report

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Canada Border  
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## EXECUTIVE SUMMARY

### Outline

Since the elimination of the visa requirement for Hungarian nationals travelling to Canada in 2008, the Canada Border Services Agency (CBSA) has seen significant yearly increases in the number of Hungarian passport holders coming to Canada for the purpose of entering a claim for refugee protection. In large part, these individuals are requesting protection on the grounds that they are persecuted because they are ethnic Roma. The majority of these individuals are primarily arriving and entering refugee claims in the Greater Toronto Area Region (GTAR). In 2011 alone, approximately 4,442 Hungarian nationals entered a claim for refugee protection in Canada, representing approximately 17% of the total number of refugee claimants for the year. Approximately 3,759 individuals requested refugee protection at Pearson International Airport (PIA) and at Citizenship and Immigration Canada's Etobicoke office. This represents a significant increase from last year's 2,353 claimants for all of Canada. The migration patterns exhibit characteristics of a co-ordinated movement. As a result, the CBSA launched an action plan both domestically and internationally, aimed at exploring actions that could be taken to mitigate this irregular migration movement.

### Summary of Actions Taken

The CBSA responded to these concerns by engaging in various activities domestically and internationally, namely:

#### **Actions Taken**

##### **Interdepartmental discussions**

Interdepartmental discussions with all key interlocutors including the CBSA, Citizenship and Immigration Canada (CIC), Department of Foreign Affairs and International Trade (DFAIT), and the Royal Canadian Mounted Police (RCMP) took place to review all aspects of irregular migration of Hungarians

##### **Project SARA**

The GTAR developed and implemented Project SARA, with the aim of identifying areas of possible intervention, prosecution or disruption. This was done by compiling a thorough assessment of the migration patterns, focusing on pull factors, financial flows and criminal attributes. Information was collected from local law enforcement partners, the Ministry of Community Safety and Correctional Services, and the Ministry of Community and Social Services, regarding criminal activity and social assistance benefits. Various areas within the GTAR, including the Intelligence Division, Criminal Investigations

Division (CID), Passenger Operations, and the Greater Toronto Enforcement Centre (GTEC), co-operated in the collection of information on the irregular migration of Hungarian nationals. Proactive field investigations included visiting key travel agencies, approaching members of the Hungarian community, collecting information regarding claimants upon their arrival to Canada, and conducting outbound interviews on individuals prior to their departure from Canada.

Temporary Duty Officer  
deployed to Hungary

In close co-operation with the CBSA Liaison Officer in Vienna and the Canadian Embassy in Budapest, a Temporary Duty Officer was deployed to Hungary on a fact finding mission to better understand the movement as a means of proposing possible mitigating measures.

## Key Findings

As a result, the following findings were observed:

### Key Findings

Refugee claims possibly for financial  
gain

Individuals seeking refugee protection in Canada are entitled to collect social assistance and various other federal and provincial benefits. Statistics show that a large part of Hungarian claimants are found to withdraw or abandon their claim prior to the conclusion of the refugee process. Based on

information collected, these individuals appear to be well informed regarding Canada's refugee process and the associated financial assistance provided for all claimants awaiting a final determination. It can be inferred that these individuals are entering refugee claims for economic betterment.

Limited criminal element

While no evidence of organized crime has been found regarding the Roma movement into Canada, a criminal element amongst the claimants is present. They are known to engage in petty theft, break and enter, possession of property obtained by crime, fraud and forgery, and assault, and many engage in similar activities while in Canada. These individuals often do not engage in serious criminality, which could render them ineligible to proceed with a claim for refugee protection.

Financial impact

Citizenship and Immigration Canada estimates that each failed refugee claimant costs Canada approximately \$50,000. Based on the number of claimants from Hungary in 2011, these individuals alone could potentially cost Canada approximately \$222,100,000. This number may factor in federal costs only which could imply a greater financial impact due to associated provincial and municipal costs. This number also does not factor in the additional costs that may arise due to the criminal activity conducted by some of the claimants.

## RECOMMENDATIONS ON SUSTAINABLE STRATEGIES

In the absence of a visa requirement, it is believed the most effective deterrent would be to reduce major pull factors to Canada, namely Canada's refugee protection system and the country's social welfare benefits. While legislative efforts are currently underway to address such issues (*Balanced Refugee Reform Act*), short to medium term solutions are required in the interim. A current Government of Canada approach is led by Citizenship and Immigration Canada with cooperation from the Immigration and Refugee Board (IRB). It aims to reduce the timeframe for refugee claimant hearings combined with enforced removals for failed refugee claimants. This may prove to be an effective way forward as it could reduce the period of time during which refugee claimants are eligible for social benefits, drastically reducing the financial gain from individuals using Canada's refugee system solely for economic betterment.

Consideration should also be placed on an expedited process or even alternative methods, for claimants arriving from countries with strong human rights guarantees already in place, such as nations within the European Union (EU). This would not only address the issues surrounding the large amount of claimants arriving from Hungary, but would also deter claimants from other EU countries, who have already begun to emulate the Hungarian claimants, due to the observation that Canada's refugee processing system can provide significant financial benefits. Although such implementations could be perceived as controversial in nature, they should help separate individuals who truly need protection from the Government of Canada from those who merely seek to exploit Canada's generosity and assistance.

Successful implementation of these efforts could be complemented by an effective media strategy to counter the messages in widespread media reporting that highlight the benefits of relocating to Canada.

Furthermore, a combination of the following the CBSA specific actions could constitute an effective supplement in helping to mitigate the threat:

### Specific Strategies

#### Recommended pre-border actions

- Maintain enhanced interception efforts at strategic embarkation points; it should however be noted that while interdictions have yielded positive results, the movement appears to be highly responsive to interdiction efforts: a number of interdicted individuals subsequently used alternate transit points ultimately making their way to Canada, thereby shifting the problem elsewhere. Furthermore, it is not

Recommended actions at the border

viewed as a long term sustainable option in light of challenging logistics (lack of time, lack of facilities, translation issues) as well as heavy resource needs and financial requirements.

- Uphold LO co-operation with international enforcement and intelligence authorities aimed at detecting and preventing irregular migration flows.
- Continued use of Advanced Passenger Information (API) / Passenger Name Record (PNR) information to identify inbound cases allowing for a better allocation of resources at Port of Entries.
- Increased staffing to support the large quantities of claimants arriving, so as to ensure that individuals that may be higher priority for public safety concerns can still be properly screened. However, this will undoubtedly require additional allocation of resources that may be unavailable.
- Continued monitoring of claimants to identify any possible Victims of Trafficking in Persons (VTIPs). If any such cases are identified continued co-ordination with the Intelligence and Criminal Investigations Divisions is warranted.
- Continued co-ordination with the Intelligence Division to identify common elements such as reception and purchaser of tickets, to attempt to identify individuals assisting in the irregular migration of Hungarian nationals.



- Solidify and continue to maintain current arrangements with the Ministry of Community and Social Services, in regards to the reporting of individuals that have already been removed from Canada.
- Continued monitoring of claimants to identify possible human trafficking victims, and collaborate with law enforcement partners, such as the Royal Canadian Mounted Police, when such cases are identified.
- Additional resources need to be allocated in order to continuously focus on the listed activities, while not drawing resources away from areas that are a higher priority for public safety and emergency preparedness concerns.

## **AIM**

This report is being written at the request of the Regional Director General for the Greater Toronto Area Region (GTAR). This report serves to provide an overview of Project SARA which focuses on the influx of Hungarian Refugee claimants in the GTAR. As several reports have been written providing strategic analysis regarding the surge in Hungarian refugee claimants in Canada, this report serves to focus on the activities and information collected in the Greater Toronto Area and by Liaison Officers posted abroad, the reasons and motivation behind the movement of these individuals, whether there are individuals responsible for co-ordinating their movement, and the associated impact of the transnational migration of Hungarian nationals. This document is an integrated report that discusses efforts by the CBSA at the international and domestic levels.

## **METHODOLOGY**

Information was obtained through a variety of collection methods. Data specific information was extracted from the CBSA systems and analyzed to identify patterns and statistics and identify elements of interest. All available assets within the CBSA at both the Headquarters and Regional levels were accessed for assistance when needed. Partner law enforcement agencies, municipal and provincial organizations and departments, and members of the Hungarian community were approached, in order to collect additional information not readily available within the CBSA databases.

## OVERVIEW

### PROJECT SARA

Project SARA is an Intelligence led enforcement operation focusing on Hungarian nationals travelling to Canada for the purposes of seeking refugee protection. Although most claimants identify themselves as being Hungarian Roma, this project focuses on all claimants of Hungarian origin. Given the large influx of Hungarian claimants and that the numbers are increasing on a consistent basis, Project SARA seeks to identify why individuals are choosing to travel to Canada to enter a claim for refugee protection, as well as why so many are choosing to withdraw their claims and return to Hungary.

Although it is a widely accepted assumption that many of these individuals are taking advantage of Canada's refugee processing system, social assistance, and other benefits, Project SARA serves to confirm or negate these assumptions while assessing the impact that these claimants are having on our various social services and communities.

Project SARA utilized the CBSA's multiple borders approach; the project involved co-operation from various components within the CBSA including: Passenger Operations District, the Greater Toronto Enforcement Centre, the Criminal Investigations Division, the Intelligence Division, as well as help and support from various units within the CBSA's National Headquarters Division and the Liaison Officer Network. This project also included participation from Citizenship and Immigration Canada, various partner law enforcement agencies, and various entities from the Ontario Government.

### PROJECT ADELAIDE

Project Adelaide consisted of an enforcement operation that took place at Toronto's Pearson International Airport, Passenger Operations District, from December 1, 2011 until December 5, 2011. The focus of the operation was to identify and intercept potential victims of human trafficking from any nationality.

As there have been established cases where members of the Hungarian community seeking refugee protection in Canada have become Victims of Trafficking in Persons (VTIPs), Project Adelaide also supported the overall goals of Project SARA. Several cases were identified where an overlap emerged amongst potential VTIPs and Hungarian nationals seeking refugee protection in Canada.

## HUNGARIAN CLAIMANTS IN 2011

Since the visa requirement for Hungarian nationals was lifted in 2008, Canada has seen a significant increase in the number Hungarian refugee claimants, similar to what was seen prior to the implementation of a visa requirement in 2002. The total amount of Hungarian refugee claimants in Canada for the year 2011, stands at 4,442, surpassing the previous record set in 2001 with 3,946 claimants from Hungary.<sup>1</sup>

The total number of claimants in the Greater Toronto Area Region, for the year 2011, stands at 3,767, representing the majority of claims for all of Canada. These figures include claims entered by Hungarian nationals at either Pearson International Airport, at Citizenship and Immigration Canada's Etobicoke office, or at the Greater Toronto Enforcement Centre. This number is a significant increase from the 2,353 claims made in all of Canada for 2010.

From the years between 1998 to the end of 2001, Canada saw an increase in the number of Hungarian claimants from 1,380 to 3,946.<sup>2</sup> Given that Canada decided to impose a visa requirement on Hungary in 2002, the substantial increase in claimants may have been attributed to the discussions leading up to the eventual announcement of the implementation of a visa requirement.

Subsequently, recent speculation and discussion regarding re-imposing a visa requirement may have been the catalyst in the increased movement we have seen in 2011, regardless of whether or not Canada will re-impose the visa requirement on Hungary. A Temporary Duty Officer deployed to Hungary also observed this to be a main push factor for the movement of the Hungarian Roma.<sup>3</sup> For the year 2010, there were 2,353 Hungarian refugee claims.<sup>4</sup> It appears that the yearly number of claimants is progressively increasing, reflecting the trends seen from 1998-2001.

Based on information extracted from Passage History in the Integrated Customs Enforcement System, for the year 2011, approximately 5,658 unique individuals, travelling on Hungarian documents entered at Pearson International Airport's Terminal 1. This information was extracted based on all individuals travelling on Hungarian documents and subsequently could include individuals with permanent residence or other status in Canada. Based on this data, it would appear that approximately 40% of Hungarian nationals entering Canada at Pearson International Airport's Terminal 1 are doing so for the purpose of entering a claim for refugee protection. It should be noted that some of these individuals may be making inland claims, while others may have entered Canada as visitors and have not entered a claim but also have not returned to Hungary. Without any exit information, it is hard to know how many Hungarian nationals are leaving Canada.

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<sup>1</sup> Migration Intelligence Section, Intelligence and Targeting Operations Directorate, CBSA. "Irregular Migration of Hungarians to Canada". October 20, 2011

<sup>2</sup> Ibid.

<sup>3</sup> Duschinsky, Peter. "The Hungarian Refugee Claimant Movement to Canada". December 15, 2011.

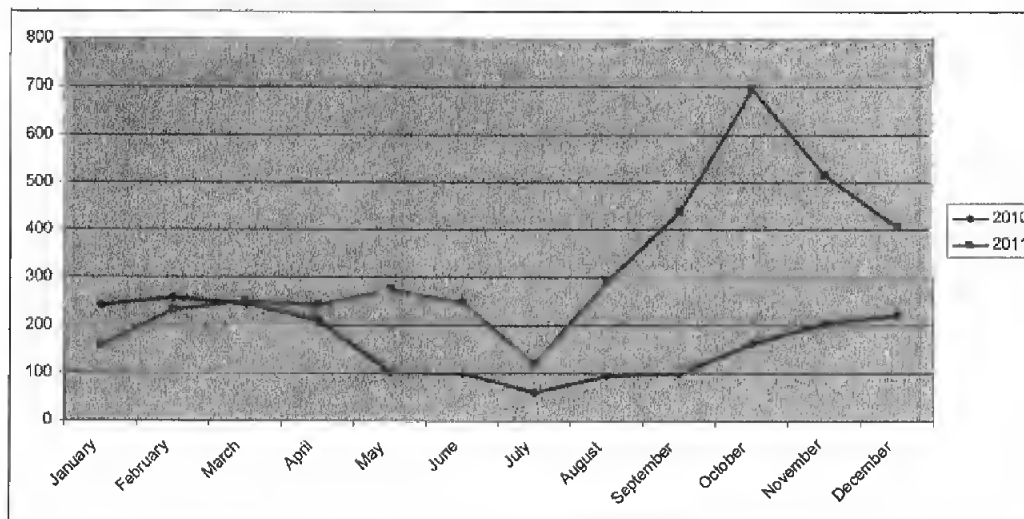
<sup>4</sup> Ibid.

The following chart provides a breakdown of Hungarian claimants within the GTAR and Hamilton, based on location.<sup>5</sup> It is apparent that the majority of claimants are entering their claim at the Port of Entry. Terminal 1 represents the largest number, due to the majority of claimants using the Air Canada flight from Copenhagen, as their connection point from Hungary.

**Total Number of Refugee Claims by Month and Location 2011**  
**GTA Region and Hamilton**

MONTH	LBPIA T1	LBPIA T3	GTEC	CIC ETOBICOKE	CIC HAMILTON	TOTAL
January	56	57	0	37	5	155
February	125	84	1	22	0	232
March	117	54	0	56	22	249
April	102	110	0	15	15	242
May	166	46	0	54	8	274
June	132	80	0	33	2	247
July	12	83	3	16	4	118
August	127	149	1	12	2	291
September	273	134	0	23	7	437
October	497	114	2	72	11	696
November	373	89	1	45	8	516
December	320	36	0	38	12	406
<b>TOTAL</b>	<b>2300</b>	<b>1036</b>	<b>8</b>	<b>423</b>	<b>96</b>	<b>3863</b>

**Number of Claimants for 2010 and 2011**



<sup>5</sup> Information provided by the Greater Toronto Enforcement Centre's Case Tracking and Business Analysis Unit.

The preceding chart demonstrates the trend regarding refugee claimants from Hungary for 2010 and 2011, in the GTAR and Hamilton.<sup>6</sup> From this chart it is apparent that October 2011 saw the most significant amount of Hungarian claimants, while July represents the month with the least amount for both years. For the year 2010, these areas saw a total of 1,993 claimants.

The patterns shown are consistent with variables such as the higher costs of ticket prices for flights to Europe during the peak periods. Summer months represent the busiest period for Pearson International Airport, in regards to flights from Europe, while November and December sees an influx in traffic for the holiday season.

The chart also demonstrates a significant increase in claimants from 2010 to 2011, specifically in the later months of the year. This supports observations that an increased movement of Hungarian nationals entering claims for refugee protection may be associated to speculation regarding the implementation of a visa requirement for Hungarian nationals. This information is also consistent with speculation that the claimants travel during periods where ticket prices are significantly lower.

A sample group of 125 individuals was used to conduct a cost analysis on tickets; however the data was insufficient to provide any statistical analysis, as many individuals now travel on electronic itineraries and the majority of the individuals in the sample group did not have a copy of their invoice or any billing information.

#### Total Number of Claimants by Gender and Family Status

Month	Family Group Claimants		Total Family Claimants	Individual Claimants		Total Individual Claimants	Total Claimants
	F	M		F	M		
January	44	44	88	7	18	25	113
February	88	79	167	14	30	44	211
March	72	66	138	11	24	35	173
April	81	81	162	14	35	49	211
May	88	79	167	17	28	45	212
June	79	71	150	19	43	62	212
July	40	32	72	8	15	23	95
August	108	95	203	27	45	72	275
September	170	158	328	32	47	79	407
October	260	256	516	28	68	96	612
November	173	173	346	32	64	96	442
Total Claims	1203	1134	2337	209	417	626	2963

<sup>6</sup> Given that certain CBSA offices in Hamilton are now included in the GTA Region, the statistics for Citizenship and Immigration Canada's Hamilton office were included in the chart.

The preceding chart provides a breakdown, of Hungarian claimants arriving at Pearson International Airport, during the period of January 2011 to November 2011, by family status and gender.<sup>7</sup> Based on the numbers provided, it is apparent that the majority of claimants are part of a family when entering Canada and seeking refugee protection, while the majority of individual claimants are male.

This information is consistent with previous observations provided by CIC in a report prepared in October 2011, regarding the movement of families.<sup>8</sup> The report recognizes the challenges faced when migrating with a large family, indicating that they generally require a larger amount of time to organize documents and tickets, which may imply that these individuals are not facing as immediate a threat to their safety. Considering that families generally receive larger social services benefits, this might be a motivating factor in individuals bringing their entire family to Canada.

**Top Five Flights by Number of Airport Claimants – November 2011/December 2011**

AIRLINE	FLIGHT NUMBER	AIRPORT	CITY	NUMBER
AIR CANADA	AC883	CPH	COPENHAGEN	407
LUFTHANSA	LH470	FRA	FRANKFURT	59
BRITISH AIRWAYS	BA099	LHR	LONDON	50
KLM	KLM691	AMS	AMSTERDAM	24
AUSTRIAN	OS071	VIE	VIENNA	22

The preceding chart lists the top five flights used by Hungarians who entered a claim for refugee protection at Toronto Pearson International Airport, for the reporting period during Project SARA. The date range is from November 1, 2011 until December 11, 2011.

**Top Five Flights by Number of Inland Claimants – November 2011/December 2011**

AIRLINE	FLIGHT NUMBER	AIRPORT	CITY	NUMBER
AIR CANADA	AC883	CPH	COPENHAGEN	20
BRITISH AIRWAYS	BA095	LHR	LONDON	5
BRITISH AIRWAYS	BA093	LHR	LONDON	3
KLM	KLM691	AMS	AMSTERDAM	3
AUSTRIAN	OS071	VIE	VIENNA	3

The preceding chart lists the top five flights used by Hungarians who entered a claim for refugee protection, inland at Citizenship and Immigration Canada's Etobicoke office, for the reporting period during Project SARA. The date range is from November 21, 2011 until December 11, 2011.

<sup>7</sup> Information provided by Planning and Program Integration. Information extracted from Citizenship and Immigration Canada Datawarehouse/Enforcement FOSS/Daily Refugee Cube.

<sup>8</sup> Citizenship and Immigration Canada. "Asylum Claims From Hungary: Updated Report" October 21, 2011

The Air Canada flight AC883 from Copenhagen continues to be the flight moving the largest number of Hungarians that are entering claims for refugee protection. Previous information extracted for January 2011 to October 2011 demonstrated that Amsterdam was the second highest transit point for Hungarian claimants and did not include London in the top five cities.

Although a variety of factors are relevant in regards to the changes in the top five flights used by claimants, Air Canada flight AC883 remains at the top of the list, with the numbers for just over one month of data approaching the 508 number of claimants that used AC883 for the period of January 2011 to October 2011.<sup>9</sup>

In the month of November 2011, approximately eight claimants arrived transiting via the United States. Although this represents a small number of the total amount of claimants, this method of routing may become more prevalent if Hungarian travellers face increased scrutiny connecting via other countries.

During the period of December 29, 2011 and January 11, 2012, there were no Hungarian claimants at Pearson International Airport. However there were 49 claimants arriving in the following week. This pattern is consistent with the observations regarding higher ticket prices during peak seasons such as the winter holidays.

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<sup>9</sup> Migration Intelligence Section, Intelligence and Targeting Operations Directorate, CBSA. "Irregular Migration of Hungarians to Canada". October 20, 2011



## **COMMON ADDRESSES USED BY HUNGARIAN CLAIMANTS**

Given that many of the claimants arriving in Canada appear to have had their tickets booked by individuals in Canada, at the same travel agencies, and that the majority of Hungarians originate from similar areas in Hungary, information was extracted from the Field Operational Support System (FOSS) to determine the areas that the Hungarian claimants are migrating towards within Canada.

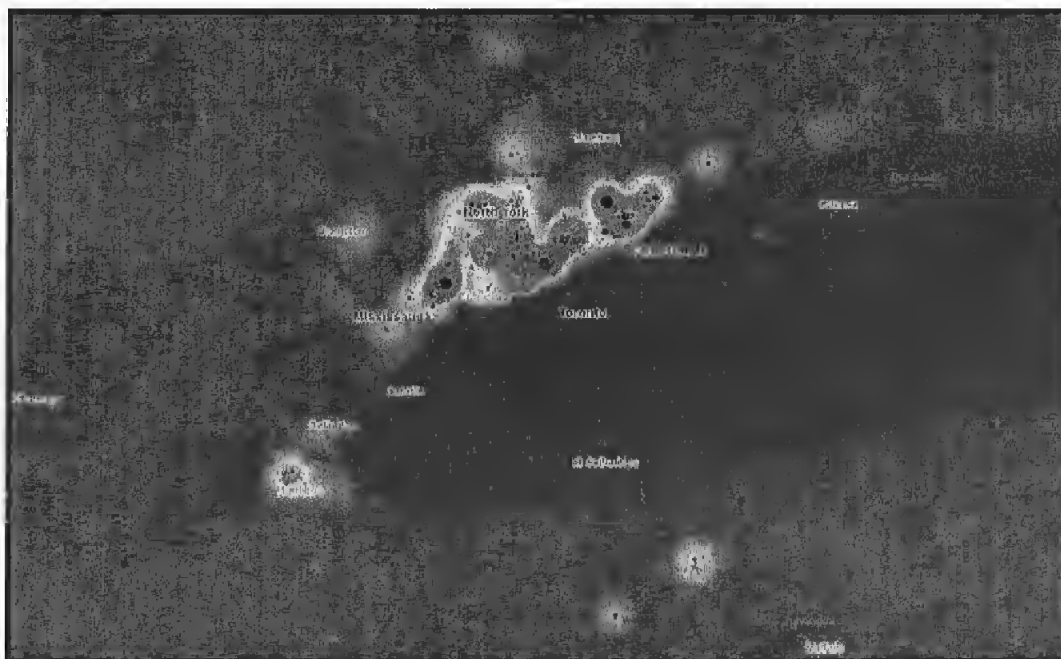
Information regarding Hungarians who entered a claim for refugee protection, in the Greater Toronto Area Region between January 2011 and November 2011, was extracted along with key elements, such as phone numbers and addresses, from FOSS in order to identify commonalities amongst the claimants for 2011.<sup>10</sup>

A data extraction based on both home and mailing addresses listed in FOSS for all the claimants from January 2011 until December 2011, resulted in several addresses being used by multiple claimants.

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<sup>10</sup> Information provided by the Greater Toronto Enforcement Centre's Case Tracking and Business Analysis Unit.

**Heat Mapping of Addresses Provided by Hungarian claimants**



**Golden Horseshoe Region**

The preceding image demonstrates the concentration of Hungarian claimants based on their address location found in FOSS.<sup>11</sup> This chart displays addresses used by Hungarian claimants for the area known as the Golden Horseshoe and demonstrates that many claimants are migrating to Hamilton and the surrounding area, and as far as Niagara Falls and the surrounding area.

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<sup>11</sup> Prepared by CBSA's Data Exploitation Section, Intelligence Operations and Analysis Division.



**Greater Toronto Area Region**

The preceding image demonstrates the concentration of Hungarian claimants based on their address location found in FOSS.<sup>12</sup> This chart displays addresses used by Hungarian claimants for the GTAR. Although some of the key locations, such as shelters, will undoubtedly be represented more intensely, the image demonstrates the key areas, in the GTAR, to which Hungarian claimants are migrating towards.

1

3

<sup>12</sup> Prepared by CBSA's Data Exploitation Section, Intelligence Operations and Analysis Division.

The information regarding mailing addresses demonstrates that the Hungarian community may prefer specific consultants or lawyers for handling their Immigration matters. Concerns always arise regarding consultants organizing individuals and providing guidance or coaching when providing their reasons for entering a claim, however given the language barriers or ties to the community already in Canada, the individuals used might just be the preference and recommendation of the community.

The home address information does demonstrate that aside from the various shelters, Hungarian claimants are migrating towards already established Roma communities. However, the numbers demonstrated may be lower or higher, given that many Hungarian individuals are moving, but not reporting their new addresses to the CBSA or CIC.

In order to develop a more accurate pattern of Hungarian movement within Canada, address information provided to the Ministry of Community and Social Services may prove to be more accurate.

Future analysis of the contact information, such as phone numbers, may help identify clusters or organizations that could help identify individuals co-ordinating the movement of the Hungarian claimants.

## INTERNATIONAL OPERATIONS

The following information was received from the CBSA's International Operations Directorate (IOD). This information provides a breakdown of the activities conducted by IOD, including activities involving the Liaison Officer network and Temporary Duty Officers deployed to Hungary.

### INTERNATIONAL OPERATIONS DIRECTORATE AND LIAISON OFFICERS

In consultation with Departmental Legal Services, the CBSA has provided written guidance to all Liaison Officers concerning their authorities to advise the airlines not to carry improperly documented passengers to Canada. This does not reflect any change of authorities or policy, but recent developments have highlighted a need to provide additional guidance.

These guidelines foresee that Liaison Officers will encounter cases in which a foreign national in possession of a visa exempt passport is travelling to Canada with the intention of remaining permanently but who does not possess a permanent resident visa.



International Operations Directorate has prepared an information package that was distributed to Canadian Heads of Mission in Europe. This package explained the CBSA's objectives and operational activities regarding irregular migration from Eastern Europe. It also provided media lines and background information on this issue.

## TEMPORARY DUTY OFFICER DEPLOYED TO HUNGARY

The CBSA sent a Temporary Duty Officer to Hungary and Western European transit locations from November 19, 2011 to December 4, 2011. The officer was accompanied during this travel by the CBSA Liaison Officer and the RCMP Liaison Officer responsible for the region. The purpose was to gather information about the influx of Hungarian Roma claiming refugee status in Canada. The Canadian delegation met with Roma community organizations, government officials, and airline staff, among others, in order to better understand the situation and to support the development of an action plan.

International Operations Directorate has received the final report of the fact finding mission and presented its content through an informal interdepartmental roundtable held on December 20, 2011. Some key findings include the following:

- The Hungarian Roma comprise the most politically integrated and educated Roma population in Eastern Europe. There are several Roma Members of Parliament, both in the Hungarian Parliament and in the European Parliament. Well established Roma self government structures exist in all parts of Hungary.
- However, in Hungary's economically depressed north and northeast, where most Hungarian Roma travelling to Canada originate, Roma are without any steady means of making a living, have been unemployed for the past 15 to 20 years, have no work skills and receive the main source of their livelihood in the form of social assistance payments from the Hungarian state.
- Every European Union (EU) state recognizes that a European state, in order to join the EU, must meet the Union's stringent human rights standards and undertake to protect both their own nationals and nationals of other countries within their borders from human rights abuses and persecution. Therefore, nationals of any EU state cannot make refugee claims in another EU state. This is in accordance with Protocol 29 (the "Spanish Protocol") of the EU's Amsterdam Treaty which limits asylum in EU states to "third country nationals", i.e. people who are not citizens of the EU.
- No EU country will entertain refugee claims by Hungarian Roma, since Hungary has in place the institutional framework to ensure that Hungarian nationals are not persecuted in their homeland.



- A seed community of Hungarian Roma has now been established in Canada, principally in the GTAR and in Hamilton.

## DOMESTIC OPERATIONS

The sections to follow outline the co-ordinated domestic activities amongst the various units within the GTAR. The section include information regarding field investigations, surveillance, interviews, examinations of individuals, significant information collected and analyzed, as well as information provided by the CBSA partner law enforcement agencies and provincial and municipal entities.

## QUESTIONNAIRES INVOLVING HUNGARIAN CLAIMANTS

A brief questionnaire was prepared and provided to Border Services Officers in the Refugee Admissibility and Eligibility Unit, for completion, when encountering Hungarian nationals seeking refugee protection upon entry at Pearson International Airport. These questionnaires were completed during interviews with the claimants and utilized the assistance of an interpreter. The information provided on these forms was collected, collated, and analyzed for common elements. The data was collected from the period of early November 2011 until the end of Project ADELAIDE on December 5, 2011.

The fields captured on these forms included information such as whether anyone provided assistance for their trip to Canada, what prior work they conducted in Hungary, if the claimant has family members in Canada, if work has already been arranged for them, and if they had any reception or contacts in Canada.

## FINDINGS

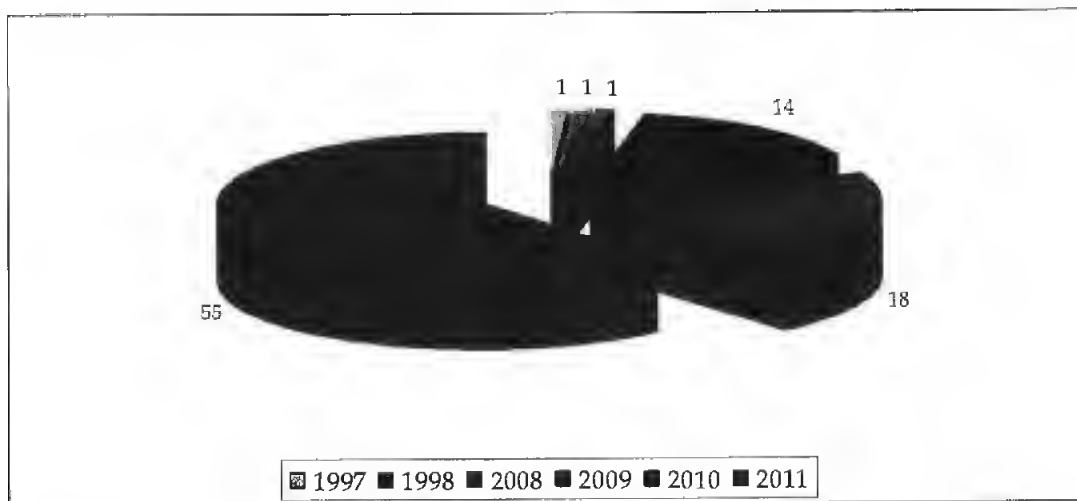
Approximately 142 surveys were collected, accounting for 325 individuals. Of the 325 people included, 197 were adults, 125 were minors, and three were seniors. The individuals that completed the surveys consisted of 127 principals, 12 spouses, and three other dependants. Although the accuracy or honesty behind some of the responses may be questionable, the information collected is consistent with previous observations regarding Hungarian claimants.

The question regarding employment yielded a variety of responses. Out of the 142 surveys, 43 individuals failed to provide a response and 46 provided vague or unrelated information. Among the remaining respondents, 31 individuals stated that they were previously unemployed or collecting social assistance, while 20 individuals had previous employment. The top responses regarding previous employment included jobs in construction, factory worker and general labourer. Out of the entire group, only one individual stated that work had been previously arranged for him. He stated that it was his cousin that was going to provide him with work once he arrived in Canada.

The majority of individuals arriving during this sample period originated from the city of Miskolc, with Budapest represented as the second most commonly identified city. This information is consistent with what strategic analysis on Hungarian claimants for the last three years has yielded.<sup>13</sup>

Responses provided on the surveys indicated that 68 individuals had at least one contact in Canada, while 57 stated that they had received assistance travelling to Canada. The information provided by the 57 surveys, indicating that assistance was provided, identified 95 unique individuals as being responsible for assisting their travel. Of this amount, 90 were previous refugee claimants in Canada. Of these 90 claimants, 55 were found to have arrived in Canada and entered a claim for refugee protection in 2011.

#### Year of Refugee Claim for Individuals Listed as a Contact



The preceding chart provides a breakdown of the 90 individuals listed as contacts for the claimants arriving during the sample period. The chart demonstrates the year in which these 90 individuals entered their own claims for refugee protection. The information indicates that 61% of these individuals had entered a claim for refugee protection in 2011. Approximately 37% of individuals listed as contacts had arrived in Canada less than three months before the respondents.

This information demonstrates that many individuals arriving in Canada are receiving assistance from individuals that have already entered a claim for refugee protection. Whether they are family or just community members, they are helping individuals by providing help with their travels, as well guidance on entering a claim for refugee protection in Canada and receiving social assistance and other benefits.

<sup>13</sup> Migration Intelligence Section, Intelligence and Targeting Operations Directorate, CBSA. "Irregular Migration of Hungarians to Canada". October 20, 2011

## OUTBOUND INTERVIEWS

During the period of November 2011 to December, 2011, the CBSA Intelligence officers in the GTAR conducted outbound interviews of Hungarians who were scheduled for removal, prior to boarding their flights back to Hungary. Officers attempted to question individuals to glean a better understanding of the reason for these individuals entering a refugee claim in Canada, determine what work they may have performed here, and determine what they were bringing back to Hungary.

Information provided by the individuals indicated that several of them worked in jobs such as painting, construction, and general labour. Several individuals indicated that they were working in Hamilton while others remained within the GTAR. A variety of reasons for leaving Canada have been given, such as language barriers, homesickness, and disliking conditions while being detained, which were found to be consistent with reasons given by the Czech Roma in a report prepared by a Non-Governmental Organization and cited by CIC in a report prepared in October 2011.<sup>14</sup>

Both Border Services Officers and Intelligence Officers have observed many of these travellers leaving Canada with significant amounts of cash, credit cards, and oversized and additional luggage filled with items acquired in Canada, such as toys, clothing, and laptops. Two individuals were found to be travelling with approximately \$4,000 in cash but had stated that they were only carrying \$800. These observations support many assumptions that these individuals enter Canada due to financial motivations and are either taking advantage or completely exploiting our system for the purposes of their financial benefit.

## CASES OF INTEREST

One case of interest involved a family of six that was returning to Hungary. It had been determined that this individual had previously entered Canada in 2001 and entered a claim for refugee protection, however withdrawing it in 2002. The individual obtained a legal name change in Hungary and returned to Canada in 2009. The subject did not immediately enter a claim for refugee protection, but instead initiated a claim at one of Citizenship and Immigration Canada's inland offices, while denying having previously requested asylum. Unfortunately, this individual was not immediately identified as having previously entered a claim for refugee protection. The individual ended up committing theft and being charged and convicted in August of 2011. Although this is just one of many cases, it highlights several of the concerns identified at the onset of Project SARA, such as previous claimants using name changes to re-enter Canada, individuals seeking refugee protection being involved in criminal activity and most notable, that an individual seeking protection from the Government of Canada for fear of persecution requests protection again, after having already returned to the country against which he was requesting asylum from eight years earlier.

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<sup>14</sup> Citizenship and Immigration Canada. "Asylum Claims From Hungary: Updated Report" October 21, 2011

Another case involved two individuals who had entered Canada in 1999 to visit their family and subsequently entered a claim for refugee protection in September 2000. In 2002, checks with Interpol confirmed that these individuals had outstanding warrants for their arrest in Hungary for fraud related charges. They were arrested by the Toronto Police Service's Fugitive Squad. Some front-line officers have expressed concerns over response times when requesting checks through Interpol, when encountering individuals at the Port of Entry. This case demonstrates that some individuals may not initially enter a claim, and for those that do, criminality in their home countries may be a motivating factor leading to their migration to Canada.

Two individuals interviewed stated that they had worked in the Hamilton area for members of the family, some of which are currently facing charges for human trafficking. One of the individuals interviewed was found to be connected to the case, and had also been convicted of theft under \$5,000. Despite both individuals being connected to the family, they denied knowing each other.

Although not all individuals may have entered Canada solely for the purposes of exploiting our social assistance and benefits system, and some individuals may genuinely be seeking a better life with an economic advantage through employment in Canada, these cases serve to highlight concerns that have been in place when dealing with the movement of Hungarian refugee claimants. These cases reiterate concerns that while some individuals could face the risk of being victims of human trafficking, others are solely opportunistic and have identified an exploitable weakness in Canada's generosity and assistance towards refugees with a legitimate need for protection.

## **SCHEDULED REMOVALS AND SOCIAL ASSISTANCE CLAIMS**

Individuals involved in the process of seeking status in Canada as a refugee are eligible to collect social assistance and various government benefits at the federal, provincial, and municipal levels, while they wait for a final determination. Consequently, this becomes an area of concern in regards to the large numbers of individuals from the Hungarian Roma community who are entering Canada for the purposes of seeking refugee protection as it places significant strains on the social assistance and benefits system.

While information indicates that many refugee claimants are withdrawing their application, this appears to occur only after they have been in Canada for a significant period of time, allowing them to collect substantial amounts of social assistance prior to returning to Hungary.

Due to various factors related to the cancellation of benefits from the Ministry of Community and Social Services, the possibility exists that individuals may still be collecting social assistance after they have left Canada. Subsequently, a sample was collected to determine how many individuals who were removed from Canada are still collecting social assistance.

Using the National Case Management System, data was extracted regarding individuals who are Hungarian nationals and were scheduled for removal. The data was extracted for the month of September 2011 to provide a sampling of Hungarian claimants who were scheduled to be removed from Canada. These individuals were then queried to determine how many of them had confirmed their departure versus those who had failed to report.

Both sets of individuals were queried by the Ministry of Community and Social Services to determine who was still collecting social assistance.

<b>Scheduled Hungarian Removals for September 2011</b>	<b>Total</b>
Confirmed Departures	65
Failed to Appear	24
Deceased Individual	1
<b>Total</b>	<b>90</b>

Among all the individuals queried, several cases of individuals who had failed to report for their departure interview attempted to reapply for social assistance. One individual went as far as phoning the Greater Toronto Enforcement Centre to inform them that she had left Canada and was living abroad but attempted to apply for social assistance shortly after the phone call, reinforcing the idea that many of the Hungarian refugee claimants applying for refugee protection in Canada are financially motivated.

From the sample list responses were received for 46 individuals who were registered at some point to receive social assistance payments. From this amount 24 individuals were found to still be collecting social assistance despite their scheduled removal date having already passed. Three of these 24 individuals were still in Canada and wanted for removal, while the remaining 21 were still collecting social assistance despite their departure being confirmed. These individuals were paid a total of approximately \$22,400 for one month, despite having left Canada in September 2011. Although this sample group was not very large, this amount grows exponentially when calculated over the period of time they spent in Canada, and the amount of claimants from Hungary that have arrived in Canada and are still receiving social assistance.

A small sample was taken for scheduled removals in the month of January 2011. Among the sample group it appears that most of the individuals have stopped receiving their benefits, however, it also appears that last payments were made anywhere from one to seven months after their departure. Although information sharing does occur between CIC, the CBSA, and the Ministry of Community and Social Services, the mechanisms currently in place may generate obstacles that minimize the ability to immediately terminate a claimant's benefits upon their departure from Canada.

Citizenship and Immigration Canada has estimated that each failed refugee claimant costs Canada approximately \$50,000.<sup>15</sup> Although it does not specify how this amount is broken down, or what the monthly cost per claimant is, this number represents a significant sum given the amount of Hungarian claimants that are entering each year. Using this figure, for the 4,442 Hungarian claimants for 2011 alone, these claimants could cost Canadians at least \$222,100,000. This number may factor in federal costs only, which could imply a greater financial impact due to associated provincial and municipal costs.

Amongst the discussions on reform to Canada's refugee processing, Citizenship and Immigration Canada stated that reforms proposed would reduce the cost per failed claimant to \$29,000 due to the faster processing times for claimants. This might help deter the Hungarians who enter refugee claims solely for the purpose of exploiting our social services, through the decreased amount they would ultimately collect. However, while this number may represent a significant cost savings to Canada, it might not be enough to stop the mass influx of Hungarians.

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<sup>15</sup> Citizenship and Immigration Canada. News Release "Balanced Reforms Planned for Canada's Asylum System". March 30, 2010.

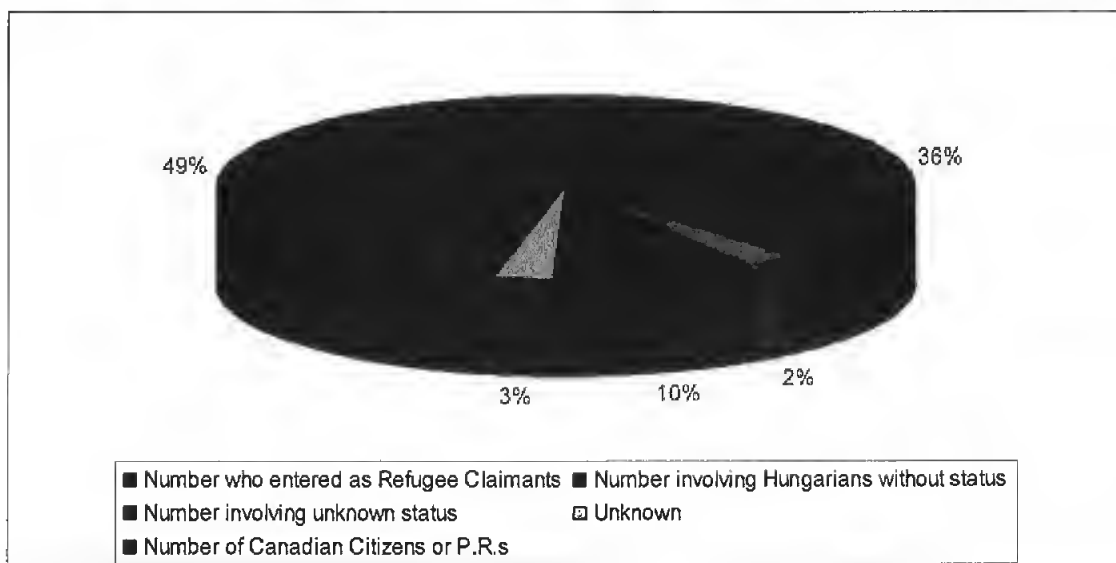
## HUNGARIAN CLAIMANTS - CRIMINALITY IN CANADA

The CBSA Intelligence and the Criminal Investigations Division in the GTAR liaised with partner law enforcement agencies and corporate security divisions, through the Criminal Service of Ontario's network, local Intelligence Officer's contacts, and CID outreach to financial institutions, in order to collect information related to Hungarian nationals. Concerns have been raised regarding the activities of the Hungarian nationals who enter Canada for the purposes for seeking refugee protection and their possible involvement in criminal activity.

Information was collected regarding individuals who were born in Hungary that were involved in criminal activity. This information was collated to separate individuals who are Canadian Citizens and those with Permanent Residence status from those who had entered Canada for the purposes of seeking refugee protection and were still awaiting a determination. The information received is not all encompassing, nor is it a depiction of all members of the community, however it serves to demonstrate that there is significant criminal activity occurring within this group.

### CRIMINAL ACTIVITY IN THE PEEL REGION

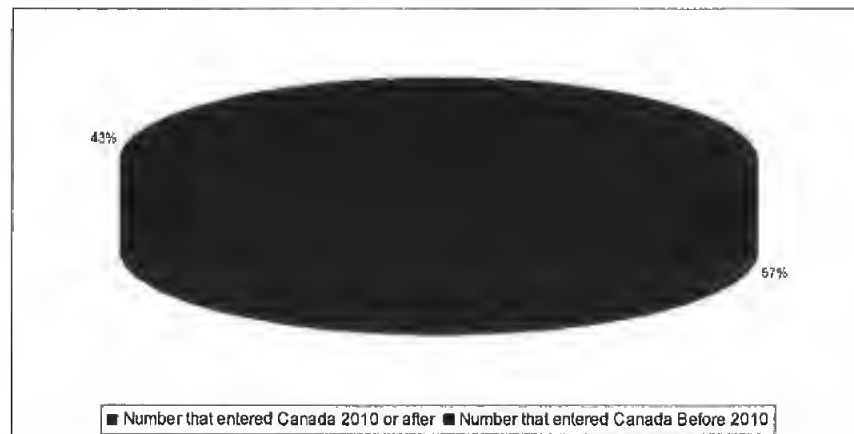
#### Crimes Committed by Individuals of Hungarian Birth in 2011 (Peel Region)



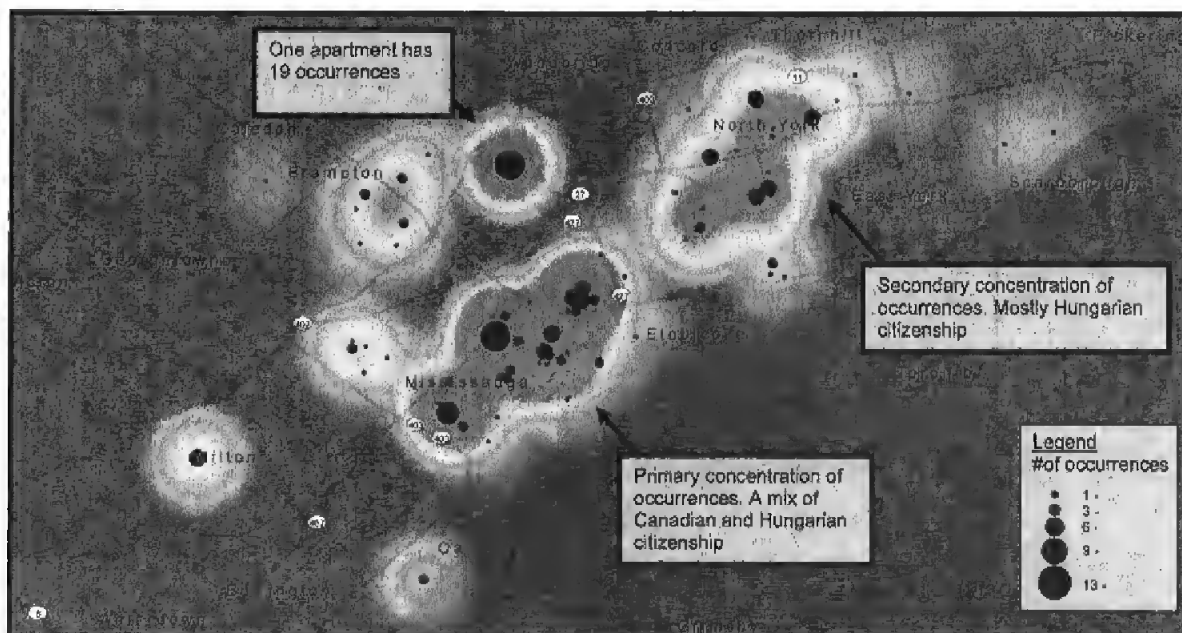
The preceding chart provides a breakdown of crimes committed in Peel Region for the year of 2011, by individuals identified as having Hungary as a place of birth. Although individuals entering Canada for the purposes of requesting asylum only represent 36% of all the individuals from the sample group, this still demonstrates that refugee claimants are engaged in various forms of criminal activity.



### Crimes Committed in 2011 (Peel Region) by Hungarian Refugee Claimants



The preceding chart is based on the individuals from the sample group that were determined to have entered Canada for the purposes of seeking refugee protection. Although there may be fluctuations amongst year as well as municipality, this chart demonstrates that for the Peel Region, the majority of crimes committed by refugee claimants in 2011 were perpetrated by individuals who entered Canada in 2010 or later. However, this appears to correlate with the average amount of time refugee claimants are staying in Canada before returning to Hungary.



The preceding image provides an overview of criminal activity by Hungarian nationals and Hungarian born Canadians. The addresses of the offenders were used to populate the information. Both Canadian-Hungarians and Hungarian nationals were displayed to show the commonalities amongst addresses.<sup>16</sup>

<sup>16</sup> Prepared by CBSA's Data Exploitation Section, Intelligence Operations and Analysis Division.

## FINANCIAL INSTITUTIONS

Several financial institutions have provided information to the Criminal Investigations Division involving what they believe to be individuals from the Roma community. However, these individuals are not necessarily Hungarian nationals, as the Roma community is spread out amongst various nationalities and the financial institutions cannot distinguish the Roma based on their country of origin.

The information provided to the Criminal Investigations Division indicates that individuals believed to be from the Roma community, and involved in criminal activity most commonly engage in skimming fraud and cheque fraud.

Skimming fraud consists of attaching a skimming machines affixed to automated banking machines (ABM) and point of sale terminals (POS) for short period of time to collect data from credit cards and debit cards. This information is used to produce counterfeit credit and debit cards which are provided to "runners" who try to withdraw as much money as possible before the fraud is detected.

Cheque fraud involves thefts of cheques from small businesses. The cheques are intercepted and altered to change the beneficiary or the amount. Reports have been provided by Canada Post indicating that drop boxes and mailboxes are often targeted for theft. Community mail boxes are also found to be vulnerable areas, and are often forced open and the contents are stolen. Cheques can be "washed", to change the details, or are completely counterfeit. Often times they prefer using cheque clearing facilities where a cheque under a certain amount is not verified for the signature.

## INFORMATION FROM VARIOUS POLICE AGENCIES

The following information was provided to a CBSA Intelligence Officer from various police services from Durham, Halton, Hamilton, London, Peel, Toronto, Waterloo and York, the Ontario Provincial Police, the Criminal Intelligence Service of Ontario, the Insurance Bureau of Canada, Canada Post and the Ministry of Community Safety and Correction Services. The following is a report prepared by an Intelligence Officer in the GTAR and discusses general observations from Police Agencies, based on criminal activity by the Hungarian Roma.

In October 2010, the RCMP Immigration and Passport Section working together with the CBSA issued arrest warrants for 12 individuals from Hungary on charges of operating a human trafficking ring in the Hamilton area. Of the twelve, eleven are foreign nationals, most with current or recently concluded refugee claims. At the time of the warrants, 19 trafficking victims, all recent refugee claimants, had already come forward to authorities making this the largest case of human trafficking in Canadian history and the first involving human slavery or forced labour.

It is alleged that the victims were recruited from Hungary with promises of high paying jobs in the construction industry. They were coached to file false refugee claims, apply for social assistance and open bank accounts. The victims were forced to work up to seven days a week without pay, little food and living in the basements of houses owned by the traffickers. Their documents were taken from them as were their bank accounts and any funds obtained through social services. They were allegedly threatened and beaten and told that their families back in Hungary would suffer should they attempt to escape.

Intimidation, isolation and a lack of English language skills played a role in controlling the victims. These same factors may be preventing victims of other traffickers from coming forward. The Ontario Provincial Police have reported on a very similar case operating out of Northern Ontario in which recent Hungarian refugee claimants are complaining of being forced to work without pay in construction and are being recruited out of Hamilton.

Each of the police agencies and Canada Post have reported frequent incidents of "mailbox tipping" or the theft of cheques from the mail by Hungarian nationals. While this activity has been reported for a number of years, it is worth noting that the recent incidents involve business cheques being stolen from the mail and deposited into the bank accounts of refugee claimants who have recently been returned to Hungary. Losses to the banking industry are in the hundreds of thousands of dollars.

Toronto Police Services do not maintain ethnically based crime statistics however, they report that over 4,000 Hungarian Roma live in 11 and 14 Divisions in the neighbourhood of Parkdale. The high number of new refugee claimants arriving daily is putting increased pressures on their community in terms of education, housing, policing and social services. They are finding that the strains seem to be felt most acutely by the Roma youth who are engaging increasingly in petty crimes, inappropriate sexual activity and in more violent encounters with other ethnic groups, to the point where there is an indication that local gangs may be developing.

Finally, Ontario Corrections report that since January 1, 2010 to December 6, 2011, they have 311 active offenders in their systems that have provided their country of birth or citizenship as being Hungary. This does not include offenders in the federal penitentiary system. Of these 311, 226 are foreign nationals with many of them still in the refugee process.

While no evidence has been uncovered indicating that criminal organizations are actively recruiting members to come to Canada to engage in criminal activity, there are indications that once in Canada, Hungarians are working together with other members of their community in the commission of serious offences. They are proving adept at manipulating Canadian systems to obtain the greatest possible financial benefit before returning to Hungary, either voluntarily or with the assistance of the CBSA.

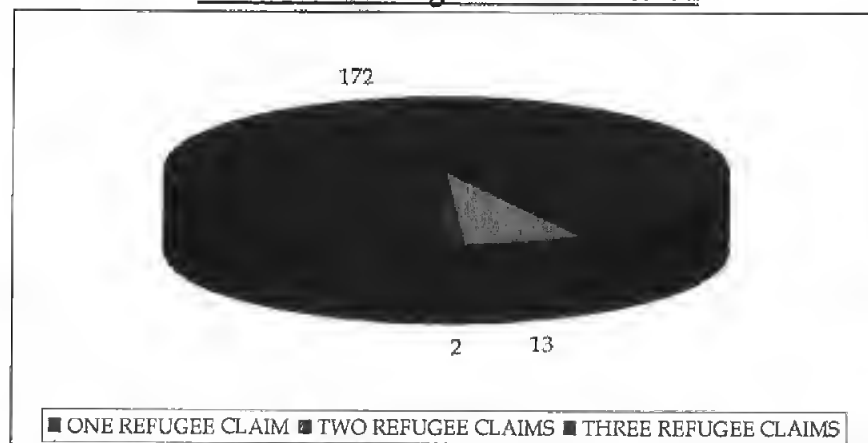
## CRIMINAL ACTIVITY AT THE PORTS OF ENTRY

The majority of offences committed by Hungarian nationals at Ports of Entry involve violations of the *Immigration and Refugee Protection Act* (IRPA). Most individuals in this category are previously deported persons who are attempting to re-enter Canada with a new legitimate identity or false documents, and are subsequently intercepted and charged under IRPA.

## MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES

Information was provided to the CBSA Intelligence Officers by the Ministry of Community Safety and Correctional Services, regarding individuals who were incarcerated in a provincial institution between the period of January 2010 and December 2011. The information provided was extracted by pulling information on individuals who had a place of birth listed as Hungary. The list consisted of 304 individuals, and from this list approximately 49 were Canadian Citizens and were subsequently removed from the analysis.

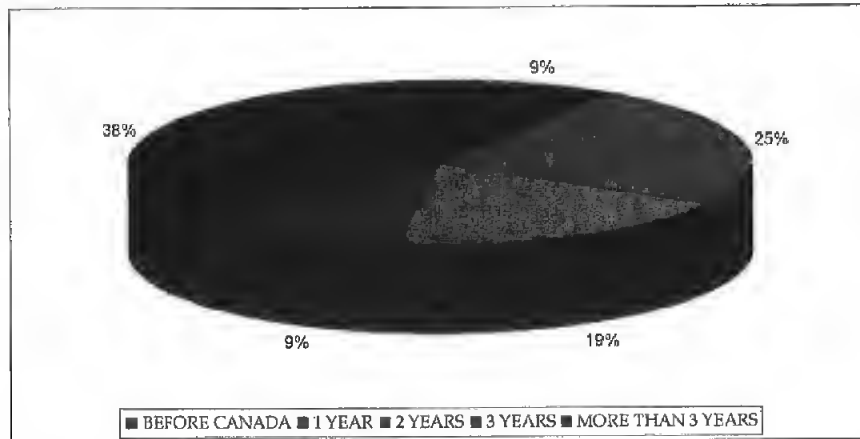
**Number of Refugee Claims Entered**



The preceding list provides a breakdown of the 304 individuals, based on the number of refugee claims entered. From the 304, 187 individuals entered at least one claim for refugee protection. The breakdown demonstrates that incidences of individuals attempting to enter multiple claims for refugee protection occurred amongst the names of the individuals provided by the Ministry of Community Safety and Correctional Services.

Information was analyzed for the individuals who entered claims for refugee protection, and it was determined that these individuals were responsible for approximately 615 occurrences. This number is based on offences occurring on separate dates, and does not include multiple charges.

#### Relation Between Occurrence Date and Date of Claim



The preceding chart provides a breakdown of the group of individuals and the related occurrences. The chart displays the time period between the individuals entering a claim for refugee protection and the date that their first offences took place. Of the individuals committing offences within the first year of arriving in Canada, approximately 25% committed an offence within three months of arrival.

This chart also demonstrates that approximately 9% of the individuals identified were found to have criminal activity prior to arrival in Canada. With the analysis conducted on these individuals, including queries performed in various databases available to the CBSA, various offences were identified that occurred outside of Canada. Given the limitations of available information, the amount of criminal activity occurring outside of Canada, amongst these individuals, could be significantly larger. It was determined that approximately 23 individuals had previous criminal activity in Hungary, while 6 were found to have criminal activity in the United States.

Although this analysis was not all encompassing, and there were multiple instances where information was difficult to interpret, a more detailed analysis of all offences, including multiple charges, determined that these individuals were charged with approximately 1,001 offences. These offences were grouped into various categories to determine the most common offences associated with this group of individuals. A more detailed breakdown of these categories was also developed, and is provided in the following section.

## BREAKDOWN OF OFFENCES

### Type of Offence and Number of Charges

TYPE OF OFFENCE	CHARGES
BREAK & ENTER/ THEFT/POSSESSION	339
FRAUD/FORGERY	183
ASSAULT	119
FAILURE	101
OTHER	83
IRPA	45
THREATEN	39
OBSTRUCT	19
CBSA	15
DRIVING	15
DRUGS	15
WEAPONS	13
MISCHIEF	11
PROSTITUTION	3
CURRENCY	1
TOTAL	1,001

The preceding chart provides a list of offences by categories that they were grouped in. The following charts provide a breakdown of the categories with the most occurrences, with more specific offence details and the number of related charges.

### Break & Enter / Theft / Possession Breakdown

OFFENCE	CHARGES
THEFT UNDER	94
THEFT UNDER \$5,000	73
POSSESSION OF PROPERTY OBTAINED BY CRIME	66
BREAK & ENTER	39
POSSESSION OF PROPERTY OBTAINED BY CRIME UNDER	24
THEFT OVER \$5,000	20
POSSESSION OF PROPERTY OBTAINED BY CRIME OVER	13
POSSESSION OF BREAK-IN TOOLS	9
UNAUTHORIZED POSSESSION IN A MOTOR VEHICLE	1
TOTAL	339

**Fraud and Forgery Breakdown**

OFFENCE	CHARGES
FRAUD	74
FRAUD UNDER	30
FORGERY	28
POSSESSION OF AN INSTRUMENT OF FORGERY	28
FRAUD OVER	16
CONCEALMENT OF PROPERTY FOR A FRAUDULENT PURPOSE	2
FALSE CLAIM TO CITIZENSHIP	1
FORGERING	1
FORGERY OF OFFICIAL DOCUMENTS	1
IDENTITY FRAUD	1
POSSESSION/TRAFFICKING OF CREDIT CARD DATA	1
TOTAL	183

**Breakdown of Assault**

OFFENCE	CHARGES
ASSAULT	56
ASSAULT WITH A WEAPON	17
ASSAULT CAUSING BODILY HARM	11
DOMESTIC ASSAULT	11
FORCIBLE CONFINEMENT	10
AGGRAVATED ASSAULT	5
MURDER/ATTEMPTED MURDER	4
SEXUAL ASSAULT	3
EXTORTION	2
TOTAL	119

**Failure To... - Breakdown**

OFFENCE	CHARGES
FAILURE TO COMPLY	28
FAILURE TO COMPLY WITH PROBATION	23
FAILURE TO COMPLY WITH RECOGNIZANCE	21
FAILURE TO APPEAR	10
FAILURE TO ATTEND COURT	6
FAILURE TO COMPLY WITH BAIL CONDITIONS	6
FAILURE TO COMPLY WITH CONDITIONS	5
DISOBEY COURT ORDER	2
TOTAL	101

**Charges Involving Mail**

OFFENCE	CHARGES
THEFT FROM MAIL	29
POSSESSION OF ARTICLES STOLEN FROM MAIL	5
POSSESSION OF STOLEN MAIL	4
POSSESSION OF MAIL	2
THEFT OF MAIL & RELATED OFFENCES	2
POSSESSION OF STOLEN MAIL/PROPERTY	1
<b>TOTAL</b>	<b>43</b>

**Charges Involving Credit Cards**

OFFENCE	CHARGES
UNLAWFUL POSSESSION OF CREDIT CARD DATA	15
POSSESSION OF CREDIT CARD FORGERY DEVICE	15
CREDIT CARD FRAUD	14
UNLAWFUL USE OF CREDIT CARD DATA	10
THEFT OF CREDIT CARD	5
USE OF CREDIT CARD OBTAINED BY CRIME	5
FORGERY OF A CREDIT CARD	2
OBTAIN CREDIT CARD BY FRAUD	1
USE OF FORGED DOCUMENT (CREDIT CARD)	1
POSSESSION OF AN INSTRUMENT TO FORGE A CREDIT CARD	1
POSSESSION OF CREDIT CARD FRAUD DEVICES	1
POSSESSION/TRAFFICKING OF CREDIT CARD DATA	1
<b>TOTAL</b>	<b>71</b>

The information extracted demonstrates that the majority of criminal activities conducted by the individuals assessed are generally not violent crimes. However, it is apparent that there is still a significant amount of violence related offences, reinforcing concerns regarding these individuals and the impact to public safety. It should be noted that this list has been provided by the provincial government and subsequently information on more serious offences would have to be provided from the Correctional Service of Canada, that manages individuals incarcerated in federal institutions for more serious offences.<sup>17</sup>

While it is important to note that this list is not indicative of all the Hungarian nationals seeking refugee protection in Canada, it not only demonstrates that there is significant criminal activity amongst the group, but it also demonstrates that there are individuals who are entering Canada with previous criminal activity. The offences listed on these charts are also consistent with general observations provided by the various partner law enforcement agencies that were contacted.

<sup>17</sup> The Correctional Service of Canada (CSC) is the federal government agency responsible for administering sentences of a term of **two years or more**, as imposed by the courts.



## **HUNGARIAN CLAIMANTS - VICTIMS OF TRAFFICKING IN PERSONS**

Past investigations conducted by the Canada Border Services Agency and the Royal Canadian Mounted Police has led to the discovery of Hungarian nationals becoming victims of human trafficking after entering Canada as refugee claimants.<sup>18</sup> Subsequently this has remained an area of concern when dealing with Hungarian nationals who have entered claims for refugee protection.

The CBSA Intelligence and the Criminal Investigations Division, in the GTAR, have been attempting to identify possible organizers that are responsible for co-ordinating and moving the Hungarian nationals to Canada for the purpose of entering a claim for refugee protection, that could later be exploited for labour or their benefits. Unfortunately at this time, solid links to organizers have been difficult to establish, but remain a key priority, as many individuals are arriving with tickets that were purchased from travel agencies within Canada.

Despite the challenges faced, several cases of interest have emerged, specifically during the operational period of Project ADELAIDE. One case involved a Hungarian National that arrived in Canada claiming that he was planning on visiting friends. However, upon interviewing the individual, Officers had concerns that he may be a potential VTIP. He appeared to have been coached to enter a claim for asylum, but the individual never did and denied that he was seeking any form of refugee protection. Intelligence Officers interviewed the individual and also had concerns regarding the individual possibly being trafficked into Canada. A possible individual of interest was identified, as well as his contacts in Canada. Surveillance and field investigations were initiated and these investigations are ongoing. It is unknown at this time whether or not a co-ordinator can be positively identified, and whether or not the suspicions surrounding the trafficking for labour can be confirmed.

A second case of interest involved an individual arriving in Canada and requesting refugee protection, who admitted to having been charged and convicted in Hungary for human trafficking related offenses. This individual had reception in Canada who subsequently became an ideal candidate for surveillance and field investigations. However, the individual decided to withdraw her claim for refugee protection. Her reception attempted to convince her to re-instate her claim. The individual was removed on a flight two days later and demonstrated that her initial request for asylum was not founded on an actual need for protection by the Government of Canada. In fact, this case reinforces the risks Canada faces with the refugee process, as this individual has been found guilty of activities that significantly violate the rights of others.

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<sup>18</sup> See previous section on criminal activity reported by various police agencies.

## INDIVIDUALS OF INTEREST





## TRAVEL AGENCIES OF INTEREST

As a result, a greater focus was placed on this travel agency, and various collection methods were employed to gather information on [REDACTED]. Among these, there were numerous field investigations conducted, interviews of individuals working at the travel agency, static surveillance, and extraction of PNR information associated [REDACTED].

Information provided in a report from the Migration Intelligence Section at the CBSA Headquarters indicates that [REDACTED] was previously the second most widely used travel agency in Canada by individuals from Hungary travelling to Canada for the purpose of entering a claim for refugee protection.<sup>20</sup> It appears that for the end of year 2011, [REDACTED]

Data was extracted from API/PNR housed in PAXIS by the Data Exploitation Unit at National Headquarters to determine how many individuals were arriving in Canada with a link to [REDACTED] through the agency IATA code or identified phone numbers. Upon examining the extracted data, it was evident that [REDACTED] has been an agency of choice for the Hungarian community for several years.

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<sup>20</sup> Migration Intelligence Section, Intelligence and Targeting Operations Directorate, CBSA. "Irregular Migration of Hungarians to Canada". October 20, 2011

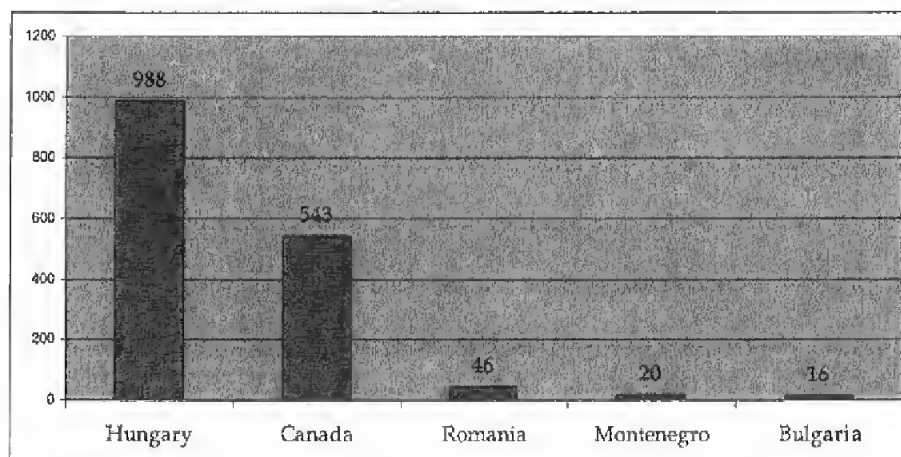
Although the information extracted would only include individuals whose PNR information contained the variables used to extract the data, approximately 2,247 individuals were found to have used for the period between 2010 and 2011. Approximately 734 individuals booked through in 2010, while 2011 saw an increase to 1,642 individuals.

Origin of Travellers Using for 2011



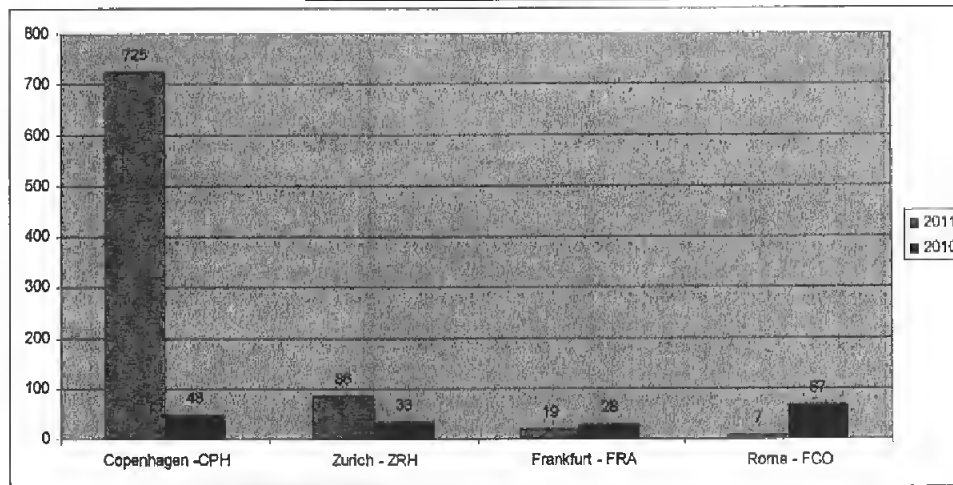
The preceding chart demonstrates that for the year 2011, approximately 70% of travellers using tickets purchased at were originating from a city in Hungary.

Top Five Nationalities Using for 2011



The preceding chart provides a breakdown of the top five nationalities using for 2011, extracted from the PAXIS data. Based on the information displayed, it is apparent that the majority of clientele are Hungarian nationals. However this could include Hungarian nationals that already have status in Canada.

### Last Point of Embarkation



The preceding chart provides a breakdown of the top four airports of final embarkation, for individuals originating in Hungary and travelling to Canada, with tickets purchased at [redacted]. The chart demonstrates that a significant number of individuals originating from Hungary were using Air Canada flight AC883 from Copenhagen, Denmark, to connect to Canada.

This demonstrates that these individuals had some contact with individuals in Canada, as their tickets were purchased by a third party located in Canada. However, examination of the IATA agent codes responsible for issuing the tickets at [redacted] revealed no consistency that would indicate direct involvement from one of the employees at [redacted].

Open source information, provided by a CBSA Liaison Officer, indicates that a one-way ticket purchased through Copenhagen can cost as little as \$300. This would account for the large amount of Hungarian refugee claimants arriving in Canada, via Air Canada flight AC883 from Copenhagen.

### Field Investigation - December 15, 2011

Information extracted from PAXIS, and provided by Air Canada, helped determine which individuals [redacted] were issuing tickets for Hungarians travelling to Canada for the purpose of entering a refugee claim. Intelligence Officers conducted a field investigation on [redacted] and again interviewed the travel agents and the owner of the business. Upon speaking to the owner, the Intelligence Officers determined that the agency had several Hungarian speaking representatives and they were the ones responsible for issuing the tickets purchased for the Hungarian claimants. The Intelligence Officers questioned the owner regarding any specific individuals responsible for the organization of the tickets purchased. [redacted] informed them that it is the relatives of the claimants, already in Canada, who are [redacted].

purchasing the tickets at [redacted] Given that [redacted] generally will not accept credit card payments from these individuals, the tickets are purchased in cash. The travel is arranged from Canada as it is much cheaper than purchasing a ticket from Hungary than it is from Hungary. The tickets cost approximately \$700 through Copenhagen, which is much cheaper than using other transit points.

The owner stated that [redacted] felt that the individuals were coming to Canada to collect social benefits, and that if "we put them to work they would stop coming". [redacted] stated that they had a business to run and would continue to sell tickets to individuals purchasing them. The owner stated that ticket prices rose as of December 15, 2011 due to seasonal adjustments and would decrease again in January 2012.

The individuals at the travel agency confirmed that [redacted] was located upstairs, but that the owner was not involved in the movement of the Roma, as [redacted] does not deal with them and only deals with skilled workers seeking employment authorizations for Canada. The owner also stated that the Hungarians use select airlines, as not all countries will allow them to transit through them, such as Italy because, according to the owner, they will refuse them entry.

Based on interviews conducted with employees at the travel agency it would appear that the individuals working there are not involved in organizing the movement of Hungarian Roma to Canada. It is also plausible that the family members are booking the tickets and using [redacted]

Combined with the purchase of tickets on the cheapest flights, such as Air Canada flight AC883, these factors may lead to the appearance of a co-ordinated movement. However, all the individuals are arriving from similar cities in Hungary, are migrating to similar areas in Canada and appear to understand the refugee and social assistance process in Canada. Subsequently, there is still strong possibility that individuals in the community are responsible for the movement of the Hungarian claimants. Open source information supports suspicions that these individuals are co-ordinated by individuals in the community, who are already established in Canada. One article states that "an entire service industry has been built on facilitating the travels of newcomers".<sup>21</sup>

For the time being, it would appear that [redacted] regarding tickets purchased by individuals in Canada for Hungarian nationals travelling to Canada, for the purposes of entering a claim for refugee protection. Based on the data and the current trends, it appears that it is the flight used, booked through [redacted] that will change depending on ticket prices.

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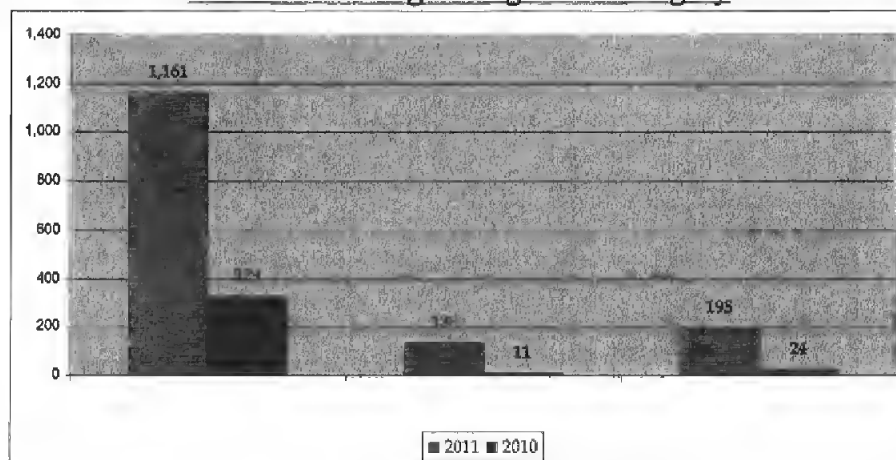
<sup>21</sup> Article from Heti Valasz, Hungary. Provided by the CBSA Liaison Officer network.



Intelligence Officers conducted a field investigation and entered the travel agency and spoke with one of their managers. The manager informed them that at least 30% of business originates from Europe. stated that Hungary has a very poor travel agency infrastructure, where many agencies quickly go out of business, leaving no recourse for the customers. Purchasing tickets from Canada subsequently provides a significant amount of protection to the customers.

The manager stated that the majority of round trip tickets purchased at the agency, for individuals originating from Hungary, were done so by family and/or friends currently residing in Canada. identified one individual as accompanying several individuals wishing to purchase tickets for their family and was identified as an individual who provides assistance and interpretation for the community. Intelligence Officers are following up on this information and are attempting to contact the individual identified. The manager of the travel agency also confirmed that the increase in airline ticket prices for the holiday period in December is responsible for the dramatic decrease in purchases during that period.

### Individuals Originating from Hungary



The preceding chart provides a breakdown of individuals travelling to Canada, originating from Hungary, and travelling on tickets purchased at one of the three mentioned travel agencies, for the period of 2010 - 2011. While all three agencies showed an increase from 2010 to 2011, **Agency 1** has seen the most significant increase from 2010.

At this time it is difficult to confirm the existence of individuals responsible for the organization of the Hungarian claimants. It would appear that the travel agencies identified are convenient for those booking the tickets, based on language capabilities and geographic location. Based on information collected, as well as statements provided by interviews with individuals at the travel agency, it would appear that the movement of Hungarian claimants is influenced by the fluctuation in ticket prices, which reinforces the belief that the movement is benefiting from significant co-ordination from within the pre-established Hungarian community. However, the travel agencies themselves appear to be only conducting business and catering to the needs of their clientele.

## **IMPACT TO THE CANADA BORDER SERVICES AGENCY**

Unless significant changes occur to address the irregular migration of Hungarian nationals, the movement will likely continue, and will subsequently have a significant impact to the CBSA, CIC, the IRB, and the various federal and provincial departments responsible for providing benefits. The continued movement of Hungarian nationals will also place greater pressure on local law enforcement and their respective communities. In consultation with the various areas affected, the following discusses some of the impacts that will be faced by the CBSA at the international and domestic levels.

### **INTERNATIONAL**

Hungarians do not require a visa to visit Canada; they travel on genuinely obtained documents and are not considered high-risk travellers. In this context, the irregular migration movement from Hungary does not impact on the CBSA's operations abroad.

### **DOMESTIC - GREATER TORONTO AREA REGION**

#### **Criminal Investigations Division**

Given that Hungarian nationals are travelling to Canada on their own documents, and any cases involving individuals using different identities has been associated to legitimate name changes in Hungary, there will not be a substantial impact to the Criminal Investigations Division. However, the continuous movement of previously deported persons to Canada, from Hungary, will increase CID's involvement with the irregular migration of Hungarian nationals. If individuals are identified via Intelligence as being responsible for the movement of Hungarian nationals, a significant impact will be placed on CID resources.

#### **Greater Toronto Enforcement Centre**

The large amount of claimants arriving from Hungary places continuous strains on the activities of the various areas within the Greater Toronto Enforcement Centre. The large intake of Hungarian claimants requires substantial amounts of resources dedicated to the associated processing and monitoring of the claimants throughout the refugee process. Significant resources are dedicated to the monitoring of decisions by the various bodies responsible for the determination of a claimant's status, as well as reacting to negative

decisions, and abandonments or withdrawals from the process. GTEC has to dedicate considerable resources to processing all removals. In cases where individuals fail to appear for removal, Inland Enforcement Officers are faced with the added challenge of issuing and enforcing warrants for the removal of these individuals. These individuals are often lower priority, given that Public Safety priorities benefit greatly from focusing on cases such as the individuals identified on the CBSA's Most Wanted List. Continued efforts to find and apprehend Hungarian nationals who are wanted for removal will undoubtedly have long term ramifications on GTEC's ability to task individuals on higher priority cases.

### Intelligence Division

The resources allocated to Project SARA allowed for a significant amount of information to be collected on the movement. However, given current resources available, such activities are not sustainable, as they would detract from activities aimed at enforcing the CBSA's priority areas of concern. Continued movement by the Hungarian nationals, who appear to be organized, places continuous pressure to identify individuals responsible for the movement of the Hungarian nationals. The Intelligence Division will also continue to liaise with partner law enforcement agencies and front-line officers, in efforts to identify potential human trafficking victims.

### Passenger Operations – Pearson International Airport

The continued movement of Hungarian nationals will increase the strain on the resources available for processing all travellers, including claimants and other arriving travellers. Given the fall 2011 trends of Hungarian claimants arriving simultaneously in exceedingly large numbers, Pearson International Airport requires a significant dedication of staff to process these large numbers of arrivals. This staff is redirected from processing other arriving travellers in order to meet the processing demands of these influxes. This reduces the ability to meet service standards and also reduces the ability to perform border security activities.

There are also budgetary pressures; particularly on overtime costs associated with meeting the processing demands of these influxes as well as the increase in operating and material expenditures needed primarily for associated interpreter costs. PIA will be required to continue to submit business cases requesting additional funding to meet these pressures.

There are also Occupational Safety and Health concerns with the processing of these large influxes of claimants. The fire prevention restrictions on office capacity are sometimes exceeded when these claimants arrive simultaneously with other large groups of travellers. There is the possibility that safety complaints may be submitted to Labour Canada or to the Fire Marshall should these instances continue.

## CONCLUSIONS

Throughout the duration of Project SARA issues were identified that suggested a pattern of organization amongst the Hungarian claimants. Activities conducted at both the international and domestic levels attempted to identify individuals responsible for co-ordinating and profiting from the movement of Hungarian claimants. Activities conducted suggest that the co-ordination of the individuals arriving in Canada is occurring from the already established Hungarian community within the GTAR. At this time direct confirmation regarding individuals responsible for co-ordinating the movement of Hungarian claimants has not been solidified, but based on patterns seen there is strong reason that indicate an organized movement is present.

However, given that the claimants may be benefiting financially from the movement, many are unlikely to provide information to the CBSA, regarding the individuals responsible for co-ordinating their movements, unless a situation arises where they become a victim of human trafficking. While there were specific cases during Project Sara that generated concern and are being followed up on, the majority of individuals interviewed upon their departure demonstrated that they had benefitted financially from their time in Canada.

Much debate exists on the current situation facing the Hungarian Roma. Whether these individuals are opportunists, or are facing significant persecution is the subject of much discussion. Given that Hungary is a democratic country, and a member of the European Union, solving any problems faced by the Hungarian Roma is a domestic issue that needs to be addressed by the Hungarian government. Hungary's membership in the European Union prevents their citizens from entering claims for refugee protection in other European Union countries; however, this does allow its citizens to travel freely within the European Union, which should facilitate their escape from any immediate danger, and negate their need to travel to Canada.

While there is controversy surrounding the implementation of a visa, it may be the most effective way to control the movement of Hungarian nationals, determined to travel to Canada and enter a claim for refugee protection. Liaison Officers are already being tasked with screening some Hungarian travellers to determine if they are properly documented.

While a visa implementation would successfully control the irregular migration of Hungarian nationals, it may not be the preferable long term solution, and other methods of addressing the irregular migration of Hungarian nationals has to be examined. Given the recent surge of claimants from other countries within the European Union, alternative methods will help stem the irregular migration from other countries, whose citizens may be choosing to emulate the Hungarians after recognizing the economic advantages to using Canada's refugee processing system for financial gain. The discussions surrounding the implementation of reforms to the refugee system, such as the implementation of the *Balanced Refugee Reform Act* on June 29, 2012, indicate that decreased waiting times for claimants may limit the amount of social assistance they collect, thereby deterring individuals who are requesting refugee protection solely for financial reasons. However, if these reforms are not aggressive enough, it might still be economically viable for Hungarian nationals, and nationals from other visa exempt countries, to continue to travel to Canada and request refugee protection, whether or not they are facing legitimate persecution.

Other possibilities to address the movement of Hungarian nationals include an expedited refugee process for individuals claiming from countries with membership in the European Union. Given that the European Union has significant standards implemented for protecting human rights that all members are required to adhere to, claimants from these countries are drawing resources from the refugee process that could be better dedicated towards individuals seeking refugee protection from countries with more questionable human rights records.

An expedited process for claimants from the European Union would provide a more long term solution than the implementation of the visa, as it would address the recent surge in claimants from other nationalities. The expedited process would reduce the financial incentives that appear to be a strong motivational factor, for many of these claimants, for travelling to Canada and seeking refugee protection. Other deterrent measures being examined include detention for mass arrivals of individuals seeking refugee protection. While this sort of activity may help eliminate claims from individuals seeking to exploit the refugee process for financial benefit, it would require significant resources from the CBSA, and will have significant legal implications.

Given the information regarding the community's activities in Canada, it is apparent that the continued influx of Hungarian claimants will not only put a greater strain on Canada's various social services and benefits, but it will also create a strain on the various police agencies and communities that these individuals are migrating towards. This does not imply that all individuals are involved in criminal activity; however a substantial amount of criminal activity is occurring, amongst recent refugee claimants, that is cause for concern. There will also be continued impact to the CBSA, CIC, and the Immigration and Refugee Board of Canada; the number of claimants alone generates substantial strains on the resources available in the various areas involved in the processing and/or removal of the refugee claimants.

Any activities following Project Sara should focus on identifying specific individuals co-ordinating and benefiting from the movement of the Hungarian claimants. Given that they appear to be well organized and coached on our refugee process as well as our various social services, priority should still be placed on identifying such individuals. Unfortunately, given resourcing limitations, activities conducted during Project Sara are not sustainable in the long term. The resources required to maintain the activities conducted during Project Sara would detract from the CBSA's ability to consistently focus on priorities in areas of greater concern to public safety and emergency preparedness. Solutions that are implemented should not just focus on the strain exerted on the CBSA, CIC, and the IRB programs, by the Hungarian claimants, but also to the impact that a similar movement from other countries would create.